

HCS HB 138 -- COMMERCIAL PESTICIDE APPLICATORS

SPONSOR: Reiboldt

COMMITTEE ACTIONS: Voted "Do Pass with Amendments" by the Standing Committee on Civil and Criminal Proceedings by a vote of 12 to 0. Voted "Do Pass with HCS" by the Select Committee on Judiciary by a vote of 9 to 0.

Currently, a certified commercial pesticide applicator must furnish evidence of financial responsibility with the Director of the Department of Agriculture in order to receive a license. This bill removes the requirement of an applicator to furnish the evidence for license renewal, unless upon request. If the director so requests, the applicator must furnish the evidence within 10 days of receiving the request.

The amount of the required surety bond or liability insurance is changed from not less than \$25,000 for property damage and bodily injury insurance, each separately and for each occurrence to not less than \$50,000 for each occurrence.

The director must be notified of cancellation or reduction of financial responsibility for any applicator or employer of the applicator. The applicator or applicator's employer also must maintain evidence of financial responsibility at their business location. If the financial responsibility furnished becomes unsatisfactory, new financial responsibility instruments must be immediately executed and maintained at the business location.

PROPONENTS: Supporters say that commercial pesticide applicators will no longer have to submit this proof to the Department of Agriculture, who currently receives about 12,000 certificates per year, which is burdensome to the department and the applicator. The policies that are issued have a one year expiration, so whenever they are issued a new policy, they have to re-verify with the department; the burden is a function of the one year duration of the policy and the annual renewal of the license. The department will still receive notification of a cancellation of a policy via the provisions at the end of the statute.

Testifying for the bill were Representative Reiboldt; Missouri Corn Growers Association; Paul Bailey, Department of Agriculture; and Property and Casualty Insurers Association of America.

OPPONENTS: There was no opposition voiced to the committee.